

EUGENICS BOARD OF NORTH CAROLINA  
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## GENERAL INFORMATION

I. Background of Sterilization Legislation in North Carolina.

In 1919 the General Assembly of North Carolina enacted a law <sup>1/</sup> which was undoubtedly intended to serve as a sterilization law although the word sterilization does not appear in the text of the act. So far as can be ascertained no sterilizations were performed under this statute.

In 1929 a sterilization act was passed. <sup>2/</sup> Under this law 49 persons were sterilized. In February 1933 the North Carolina Supreme Court held that the statute was unconstitutional because there was no provision for notice of hearing or right of appeal.

North Carolina's next sterilization law was passed in 1933. <sup>3/</sup> This act provides for notice of hearing, ample opportunity to be heard, and opportunity for appeal to the courts. It is believed, therefore, to be constitutional and also to fulfil the requirements of a good eugenical sterilization law. Supplemental legislation has been passed by subsequent legislatures increasing the effectiveness of the 1933 legislation. Through June 30, 1947, a total of 1842 operations had been performed under this legislation.

II. Purposes of Eugenical Sterilization.

After a survey of the effects of sterilization as practiced in California, the following conclusions were reached. <sup>4/</sup> They will serve to make clear the purposes of eugenical sterilization.

- A. Sterilization has one effect only--it prevents parenthood.
- B. It is not a punishment; it is a protection; and therefore carries no stigma or humiliation.
- C. It in no way unsexes the party sterilized.
- D. Sterilization is approved by the families and friends of the sterilized.
- E. It is approved by medical staffs, probation officers, and social workers generally wherever they have come in contact with patients who have been sterilized.

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<sup>1/</sup> Chapter 281, Public Laws of North Carolina, Session 1919.

<sup>2/</sup> Chapter 34, Public Laws of North Carolina, Session 1929.

<sup>3/</sup> Article 7, Chapter 35 of the General Statutes.

<sup>4/</sup> Eugenical Sterilization in North Carolina, 1935, Eugenics Board of North Carolina, pp. 11-12.